

EXHIBIT 4

In The Matter Of:
Juice Entertainment, LLC, et al v.
Live Nation Entertainment, Inc.

Al Dorso
July 16, 2013

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<p>1 was recorded in any way?</p> <p>2 A I don't believe so.</p> <p>3 Q Did you take notes during the</p> <p>4 meeting?</p> <p>5 A No.</p> <p>6 Q Do you know whether the other</p> <p>7 people took notes?</p> <p>8 A I don't recall. I assume, but I</p> <p>9 don't recall that.</p> <p>10 Q What do you recall discussing</p> <p>11 with them?</p> <p>12 A I think they asked me and my</p> <p>13 lawyers what I thought transpired between the</p> <p>14 parties, and I told them.</p> <p>15 Q Were there any other subjects</p> <p>16 that you discussed?</p> <p>17 A No.</p> <p>18 Q Did they ask whether you would</p> <p>19 sign a statement or anything of that nature?</p> <p>20 A No.</p> <p>21 Q Did you offer to do so?</p> <p>22 A No.</p> <p>23 Q Did you discuss whether you would</p> <p>24 be a witness in this case?</p> <p>25 A I don't believe so.</p>		<p>1 know, out of the blue, and I gave them a shot at</p> <p>2 it.</p> <p>3 So they said, well, we would like</p> <p>4 to have a chance. I said, they have a contract.</p> <p>5 Why don't you talk to them? They talked. I</p> <p>6 don't know what about. I just know that they</p> <p>7 talked.</p> <p>8 The boys from Juice said they</p> <p>9 couldn't come to any agreement, and Johnny D</p> <p>10 said that they weren't going to agree to</p> <p>11 anything, and he was a little irritated that,</p> <p>12 you know, there was a concert that was going to</p> <p>13 happen and he thought it should be his because</p> <p>14 we had some sort of relationship, which was not</p> <p>15 really a great relationship to begin with.</p> <p>16 And, you know, honestly, I said</p> <p>17 to the guys, I don't know why you don't take</p> <p>18 what you get, I said, they are the 800 pound</p> <p>19 gorilla in the room. You should talk to them</p> <p>20 and you should negotiate and make this thing</p> <p>21 happen, because if they don't want it to happen,</p> <p>22 it won't happen.</p> <p>23 They said no, no, no, we have</p> <p>24 contracts in place, we have everything in place.</p> <p>25 Within a matter of months the</p>	
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<p>1 Q You told me that they asked you</p> <p>2 what you thought happened in this matter and</p> <p>3 that you told them?</p> <p>4 A Um-hum.</p> <p>5 Q What did you tell them?</p> <p>6 A Well, the boys at Juice had a</p> <p>7 contract and they had set certain goals at</p> <p>8 certain times, and they were way past those</p> <p>9 goals and they were at the edge of not -- I</p> <p>10 actually kept giving them the benefit of the</p> <p>11 doubt. They are young guys. I thought that</p> <p>12 they needed a break and they were trying hard,</p> <p>13 so I kept extending the -- you know, they were</p> <p>14 at the edge of those goals.</p> <p>15 They weren't performing to the</p> <p>16 contract. So at one point I heard from Live</p> <p>17 Nation -- actually, not from Live Nation, from</p> <p>18 John D, who was producing Bamboozle there, and</p> <p>19 we were providing some fencing, or supposed to</p> <p>20 be providing some fencing and some other</p> <p>21 equipment at the Bamboozle concert.</p> <p>22 He said, why weren't we offered</p> <p>23 this, this event? And I said, to be honest, you</p> <p>24 were, but you yawned.</p> <p>25 These guys came along and, you</p>		<p>1 whole thing fell apart, and they were way</p> <p>2 outside their contract agreement anyway, and in</p> <p>3 my mind they couldn't put it together at that</p> <p>4 time, so it didn't -- almost they couldn't get</p> <p>5 it together from the time they started talking</p> <p>6 to Live Nation.</p> <p>7 My feeling was if they connected</p> <p>8 with somebody like Live Nation they would be</p> <p>9 able to put it together and get it done, because</p> <p>10 I don't think they had the tools that were</p> <p>11 necessary to get it done at that point.</p> <p>12 So, I mean, that was basically</p> <p>13 what I said.</p> <p>14 Q Do you recall saying anything</p> <p>15 else to the lawyers for the plaintiffs at that</p> <p>16 time?</p> <p>17 A No, no, I don't recall.</p> <p>18 Q Did the lawyers ask you follow-up</p> <p>19 questions in response to what you told them?</p> <p>20 A Obviously I didn't remember what</p> <p>21 they looked like, so I got to be honest, I'm</p> <p>22 telling you now not what I told them, what I</p> <p>23 think I told them, because that's what's in my</p> <p>24 mind. I repeated that story a number of times.</p> <p>25 MR. SIEGAL: I want to state an</p>	

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<p>1 A Um-hum, yes.</p> <p>2 Q Was there any live music event</p> <p>3 within an event concert from 2004 until the</p> <p>4 Latin Music Festival?</p> <p>5 A Well, what happened is we were</p> <p>6 notified that the stadium was going to be torn</p> <p>7 down, I believe in 2004, and didn't know where</p> <p>8 we were going to be or what was going to happen.</p> <p>9 So, really, it was a hunkering down until we got</p> <p>10 a new fairground and we made a deal, and we did.</p> <p>11 There were a few things that we</p> <p>12 discontinued and tried to bring the budget in</p> <p>13 until we had a new fairground. So music was one</p> <p>14 of the things that we stopped.</p> <p>15 Q How did the Latin Music Festival</p> <p>16 come into being?</p> <p>17 A The boys from Juice presented,</p> <p>18 you know, the event to us, and in a very short</p> <p>19 time frame, and I suggested that they wait until</p> <p>20 the next year when we had our special event</p> <p>21 area.</p> <p>22 They said they really want to get</p> <p>23 their foot in the door, and they felt they would</p> <p>24 be able to promote it with a Latin radio station</p> <p>25 and they would make it successful so that they</p>		<p>1 you yes or no. If you say their names, I'll say</p> <p>2 yes or no.</p> <p>3 Q Sitting here today, you don't</p> <p>4 have a recollection?</p> <p>5 A I can tell you if they walked in</p> <p>6 today, I can tell you what they look like, but I</p> <p>7 don't remember their names, to be honest with</p> <p>8 you.</p> <p>9 Q Do you remember how they came to</p> <p>10 present to you the idea to use the Latin Music</p> <p>11 Festival?</p> <p>12 A You know, I think they somehow</p> <p>13 knew the car show promoter. You're going to ask</p> <p>14 me his name, and I don't remember that either.</p> <p>15 I believe that's how they were</p> <p>16 introduced to me, through him.</p> <p>17 Q Why don't we do something we'll</p> <p>18 do a little bit of today, mark a document as an</p> <p>19 exhibit, show it to you and ask some questions.</p> <p>20 MR. MARX: The first document we</p> <p>21 are going to mark as an exhibit is a</p> <p>22 multiple-page document bearing the title</p> <p>23 "Deposition subpoena."</p> <p>24 (Exhibit marked for</p> <p>25 identification Dorso-1, Deposition subpoena.)</p>	
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<p>1 had their foot in the door for the next -- you</p> <p>2 know, for when we had the special event area.</p> <p>3 The next question is going to be,</p> <p>4 was it successful? No, it was not.</p> <p>5 Q Okay, thank you for anticipating</p> <p>6 my question. It was an excellent question.</p> <p>7 By way of follow-up to your</p> <p>8 excellent question, what makes you say that it</p> <p>9 was unsuccessful?</p> <p>10 A It was poorly attended, and I</p> <p>11 think it was poorly marketed.</p> <p>12 Q Anything else?</p> <p>13 A No. I mean, they managed it</p> <p>14 fairly well, acts that they said were coming</p> <p>15 came. I'm sure they lost a few dollars on it.</p> <p>16 I don't know exactly, but I'm sure they did.</p> <p>17 Q Now, you referred a couple of</p> <p>18 times to the boys from Juice.</p> <p>19 Who are the boys from Juice?</p> <p>20 A You tell me, what's their names?</p> <p>21 Q Actually, we need your</p> <p>22 recollection.</p> <p>23 A You have a 56-year old guy who</p> <p>24 runs 11 companies. I don't have a recollection.</p> <p>25 What is their names? I'll tell</p>		<p>1 (Exhibit handed to the witness.)</p> <p>2 Q I'm going to hand you what has</p> <p>3 been marked as deposition exhibit Dorso-1.</p> <p>4 (Exhibit handed to the witness.)</p> <p>5 Q I'm going to ask you a couple of</p> <p>6 questions. You can look through it. I'll give</p> <p>7 you a preview, the first question is going to be</p> <p>8 whether you have seen this document before.</p> <p>9 (Pause.)</p> <p>10 A I assume I have. It was sent to</p> <p>11 me, I guess.</p> <p>12 Q Is this the deposition subpoena</p> <p>13 that we served you with, which is the reason</p> <p>14 that we are here today?</p> <p>15 A I guess it is. I have no clue, I</p> <p>16 got to be honest with you. And I wouldn't have</p> <p>17 read it if I got it. I don't recall reading it.</p> <p>18 When would I have been served</p> <p>19 with this, if I might ask a question?</p> <p>20 Q I believe it would have been at</p> <p>21 some point in the latter half of the month of</p> <p>22 June.</p> <p>23 A Of this --</p> <p>24 Q No, I'm incorrect. It would have</p> <p>25 been -- I don't know when it was. At some point</p>	

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<p>1 somebody at SFEM?</p> <p>2 A Yes.</p> <p>3 Q Who provided the terms that were</p> <p>4 put into Dorso-2?</p> <p>5 A I'm assuming it's us that did it,</p> <p>6 our office.</p> <p>7 Q And it looks like the second</p> <p>8 substantive paragraph of Dorso-2 is the part</p> <p>9 that contains the description of what Juice is</p> <p>10 going to do.</p> <p>11 Do I understand that correctly?</p> <p>12 A Yes.</p> <p>13 Q And actually references to</p> <p>14 Deluna, Inc.?</p> <p>15 A I have no idea. That was the</p> <p>16 first name they came with, and that changed by</p> <p>17 the time this contract was done. As a matter of</p> <p>18 fact, I think I saw some changes in the contract</p> <p>19 when it originally went out as Deluna.</p> <p>20 Q You are talking about Dorso-3?</p> <p>21 A Dorso-3, yeah. I just noticed</p> <p>22 that it changed to Juice here, but they didn't</p> <p>23 catch all the changes. Somewhere else, when I</p> <p>24 was reviewing the contract earlier, it referred</p> <p>25 to Deluna, and it was crossed out and initialed.</p>	Page 37	<p>1 expect?</p> <p>2 A I would have to read the contract</p> <p>3 to tell you, but I know we had nothing on paper</p> <p>4 at this time other than they needed to get more</p> <p>5 together. They needed to get their act together</p> <p>6 at this time.</p> <p>7 So I think this is the way we did</p> <p>8 it. We decided to put a letter out saying,</p> <p>9 okay, go see if you can get your investors, go</p> <p>10 see if you can book the acts and come back and</p> <p>11 we'll do a formal contract. This is what</p> <p>12 happened.</p> <p>13 Q Okay.</p> <p>14 A I think the contract -- I think</p> <p>15 this started -- this went back and forth</p> <p>16 starting in January sometime, I believe. It</p> <p>17 went all the way to March before it got signed.</p> <p>18 MR. MARX: We'll mark the next</p> <p>19 exhibit as Dorso-5, a multiple-page document</p> <p>20 bearing Bates numbers Juice 1398 through 1413.</p> <p>21 (Exhibit marked for</p> <p>22 identification Dorso-5, Multiple-page document</p> <p>23 Bates numbered 1398 through 1413.)</p> <p>24 Q I'm going to ask you to look at</p> <p>25 what we marked as Dorso-5.</p>	Page 39
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<p>1 Page six, section four, last paragraph, Deluna</p> <p>2 instead of Juice. So that was missed when the</p> <p>3 contracts was changed to Juice.</p> <p>4 Q What was the purpose of Dorso-2,</p> <p>5 the initial engagement letter?</p> <p>6 A It was so they can get investors</p> <p>7 and book acts.</p> <p>8 Q And what were they looking to get</p> <p>9 investors for and book acts for in terms of the</p> <p>10 event that they were going to put on in 2011?</p> <p>11 A Say that again.</p> <p>12 Q What were they trying to do for</p> <p>13 2011?</p> <p>14 A So obviously it says techno,</p> <p>15 trance, sub genre and electric dance. That says</p> <p>16 what they were going to do, DJ and live acts.</p> <p>17 Q As of the time of Dorso-2, the</p> <p>18 December 1st, 2010 engagement letter, had you</p> <p>19 come to financial understanding with Juice about</p> <p>20 the business relationship concerning the 2011</p> <p>21 event?</p> <p>22 A You know, I don't think it was</p> <p>23 formalized at that time. I told them what they</p> <p>24 could expect in a contract.</p> <p>25 Q What did you tell them they could</p>	Page 38	<p>1 (Exhibit handed to the witness.)</p> <p>2 Q As I said, a multiple-page</p> <p>3 document. The top document looks to be an</p> <p>4 e-mail from Chris at Yahoo dotcom which forwards</p> <p>5 a document bearing the subject, "Agreement from</p> <p>6 Al Dorso, Junior to Chris."</p> <p>7 My question to you is going to be</p> <p>8 whether you --</p> <p>9 A That's the Dorso-3 agreement?</p> <p>10 Q That's my question to you. Is</p> <p>11 it? And does this help you set the context for</p> <p>12 when the agreement between Juice and SFEM was</p> <p>13 being discussed and progressed?</p> <p>14 A It appears to be the same</p> <p>15 agreement. It appears to be the same agreement,</p> <p>16 but I'm sure that prior to this there must have</p> <p>17 been other -- you know, this looks like possibly</p> <p>18 the final draft. So that would be the 15th of</p> <p>19 February. There must have been something prior</p> <p>20 to that.</p> <p>21 Q Do you know who prepared the</p> <p>22 document Dorso-3?</p> <p>23 A I did.</p> <p>24 Q Did you prepare that in-house</p> <p>25 yourself or did you have a lawyer do it?</p>	Page 40

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<p>1 Q Do you remember any discussion 2 with the guys from Juice as to whether it was 3 going to be a one year deal or whether it would 4 include future years? 5 A I know they were interested in, 6 you know, locking up the event that they were 7 planning to produce. 8 By the way, you know, no one was 9 really familiar with what they were going to 10 produce, the dance and, you know, electric 11 dance. 12 Now that we know what it is, we 13 would never allow it at the fair. It would have 14 been a one-year contract. I mean, they could 15 have come with another event, but they wouldn't 16 bring that event. Too many drugs and too many 17 problems, and that's not the kind of fair we 18 have. It is a family event. 19 They said that this is a teen 20 event and that's the music that they are 21 listening to now, and so that's what they told 22 us and that's where we were going. 23 No one knew anything about music. 24 They knew what was happening on the West Coast, 25 happening in Europe, it hadn't happened here,</p>		<p>1 tell you what they were going to do, even today. 2 Does anybody know what techno 3 trance is here? 4 Q So the State Fair in 2011, and in 5 every year, a 17-day event, correct? 6 A Yes. 7 Q Was it your understanding that in 8 2011 Juice was going to put on an event during 9 one of the weeks -- 10 A One day, one weekend day, I think 11 it was a Saturday. A Friday or Saturday, but I 12 think it was a Saturday. 13 Q Do you recall what those days 14 were? 15 A No, it would be in the contract. 16 June 25th and 26th, a two-day event. So that 17 would be Friday and Saturday. 18 Q You are looking on page two of 19 Dorso-3? 20 A Yes. 21 Q Section one, subparagraph A talks 22 about -- 23 A Oh, Saturday and Sunday. 24 Q A talks about a two-day event on 25 Saturday and Sunday, an electric dance event?</p>	
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<p>1 really, so, you know, linking us to a fair, so 2 we were a little bit naive. 3 After seeing the Electric Daisy 4 debacle at the stadium last year, you know, this 5 would never have been an event that would have 6 continued there just because of the drug element 7 and everything else. 8 Q Okay. 9 A It says here, A, section three, 10 that 2011, it expressly says, 2011, 100 percent 11 net proceeds, 2012, 93 percent, 2013 and '14, 90 12 percent, ten percent. 13 So it obviously was a multi-year 14 contract if they did all the right things the 15 first year. 16 Q And what was it that Juice was 17 going to promote in 2011? What sort of event or 18 events were they attempting to put on? 19 A So the event that's listed 20 here -- 21 Q You are holding Dorso-2? 22 A Two. It says, "Electric dance 23 including DJ and live act performances with 24 musical genre to include house, techno, trance, 25 and any sub genre of electric dance." I can't</p>		<p>1 A Um-hum. 2 Q Correct? 3 A Yes. 4 Q And subparagraph B identifies the 5 proposed dates for the electric dance event? 6 A Um-hum, yes. 7 Q That's during the first weekend 8 of the fair? 9 A Yes. 10 Q And then subparagraph C of 11 section one talks about promoting other concerts 12 or events in the special event area? 13 A Yes. 14 Q Did I read that correctly? 15 A Um-hum. 16 Q All of this -- and by all of this 17 I mean the three subparagraphs of section one 18 that we have just gone over --- help you refresh 19 your memory about what it was that Juice was 20 going to do for 2011? 21 A Only what I'm reading. The 22 memory is blank. 23 Q Looking at this does not help you 24 with your memory? 25 A No.</p>	

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<p>1 dates. 2 Q Did you sign both Dorso-3 and 3 Dorso-4? 4 A Yes. 5 Q And do you recall whether you 6 signed it on -- whether you signed those 7 documents on March 7, 2011? 8 A This says March 7 -- yeah, I 9 believe I handwrote that there. 10 Q Do you recall whether you signed 11 Dorso-3 and Dorso-4 in the same location that 12 Mr. Barrett and Mr. Dorfman and Mr. Sandberg 13 signed it? 14 A I think we did, yeah, I believe 15 we did. 16 Q Do you recall where that 17 occurred? 18 A Probably in this room. 19 Q Did you have a meeting with them 20 on March 7th? 21 A I don't recall. I would assume 22 we did. We signed a contract, so I only assume. 23 Q Do you have a recollection one 24 way or another? 25 A No.</p>		<p>1 agreed to the extension on the same day that you 2 signed the contract. 3 A Uh-huh. 4 Q I didn't ask you to follow up 5 then, but I would like to follow up now. 6 What did you mean by that? 7 A Well, I know now that you have to 8 hold these guys to what it is. To be honest, we 9 were already outside the dates. They needed to 10 provide on the day this was signed with all that 11 information that was due on February 20th, and 12 they, for whatever reason, you know, they said 13 we got it all together. 14 I actually remember them bringing 15 a pile of stuff with a list of acts and quotes 16 that they got from the acts, and agreements, 17 e-mailed agreements from the acts to perform. 18 They said, just let us -- we got 19 to get -- the contracts are coming. Give us 20 some more time. It was that kind of thing. 21 I said, all right, all right, 22 we'll do that. Get your act together, and you 23 have 30 days to do it. 24 I shouldn't have believed any of 25 it, because it obviously wasn't true, you know,</p>	
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<p>1 Q Who prepared Dorso-4, the 2 document that says "Request for extension"? 3 A That looks like Juice did. 4 Q Do you recall that one way or the 5 other? 6 A No. 7 Q Did you ever read the document? 8 It says, "Juice Entertainment, LLC is formally 9 requesting a 30-day extension pertaining to 10 section three, item C located on page three and 11 four, 'items provided to State Fair and 12 financial terms' in the agreement between State 13 Fair Management and Juice Entertainment. The 14 request of extension is for the season beginning 15 June 24, ending July 10, 2011." 16 Did I read that correctly? 17 A Yes. 18 Q Okay. 19 Is it your understanding that 20 Dorso-4 was not only a request for an extension, 21 but it was SFEM's agreement to give the 22 extension that had been requested? 23 A No. 24 Q And earlier you referred to 25 yourself as having been a nice guy for having</p>		<p>1 at that time. 2 Q I want to follow up on your 3 answer concerning the pile of agreements. 4 Am I correct in understanding 5 that those were not signed agreements? 6 A They were not signed agreements. 7 They were offers. I don't know the verbiage 8 that they used, but they were offers to the 9 acts, and the acts' response to their 10 availability and counteroffers or whatever they 11 were. 12 There were a number of them, and 13 a number saying the deposits were opening the 14 way and prepare the contracts and that kind of 15 thing. That I recall, not in detail, I have no 16 clue what the acts were, but I know that's what 17 they showed me to get me to do this. 18 Q This is the 30-day extension? 19 A The 30-day extension at that 20 time. 21 Q Which would have brought you to 22 roughly April 7th or so? 23 A Yes. 24 Q Did you receive copies of any 25 signed contracts prior to April 7?</p>	

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<p>1 A Yes.</p> <p>2 Q And that after you made that suggestion, Barrett and/or Dorfman reported back to you that an agreement could not be reached?</p> <p>5 A Yes.</p> <p>6 Q Correct?</p> <p>7 A Yes.</p> <p>8 Q Now what I'm trying to find out is whether you had a subsequent discussion with John D'Esposito after he was unable to reach a deal with Dorfman and Barrett. Do you understand my question?</p> <p>13 A Yes, I do, and I honestly don't recall whether I did or not. And in my best recollection, I think it was John who told me about Tiesto not being able to do it because of contractual obligations in New York.</p> <p>18 That's in the back of my head, and I don't know who told me that. And I know that, as I said before, that Tom or Chris told me that they blocked Tiesto. And that's one of the things, you know, that was a big act and that's what they were banking on. You know, in their minds they had been screwed out of this act. That was their cornerstone of the concert.</p>		<p>1 Q Yes, okay. I apologize. I will say it in a different way.</p> <p>3 Did John D'Esposito tell you that Live Nation had blocked Tiesto from performing at the 2011 New Jersey State Fair?</p> <p>6 A Not to my recollection.</p> <p>7 Q Did anybody else from Live Nation tell you that?</p> <p>9 A No.</p> <p>10 Q Did Mr. D'Esposito tell you that Live Nation had blocked any other artist from appearing at the 2011 New Jersey State Fair?</p> <p>13 A Not to my recollection.</p> <p>14 Q Did anybody from -- anybody else from Live Nation ever tell you that?</p> <p>16 A No.</p> <p>17 Q Did anybody from Live Nation ever tell you -- strike that.</p> <p>19 Are you familiar with the William Morris talent agency?</p> <p>21 A I am.</p> <p>22 Q What is William Morris?</p> <p>23 A A big talent agency out in California, and that's all I can tell you. They book acts. They manage acts. That's all I</p>	
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<p>1 Q So I would like your best -- see, I want to know from you everything that you remember John D'Esposito saying to you about the Juice event, about anybody from Juice, Dorfman, Barrett, Sandberg, the event for 2011.</p> <p>6 A Unfortunately, I don't have that kind of a recollection. You are talking about three plus years ago. I just don't have it.</p> <p>9 Q And so I understand you, you recall the March meeting that you had in person here.</p> <p>12 A I do.</p> <p>13 Q In Belleville?</p> <p>14 A Yes.</p> <p>15 Q And you don't recall any other discussions that you had with Mr. D'Esposito?</p> <p>17 A I honestly don't. They may have been phone. They may have been in person. I honestly don't know after that.</p> <p>20 Q Okay. Have you told me your best recollection as to whether Mr. D'Esposito told you that Live Nation blocked Tiesto from performing at the 2011 New Jersey State Fair event?</p> <p>25 A Say that again.</p>		<p>1 know.</p> <p>2 Q Did anybody from Live Nation ever tell you that the William Morris agency belonged exclusively to Live Nation?</p> <p>5 A I don't recall that.</p> <p>6 Q Did anybody from Live Nation ever tell you that no William Morris artists would be allowed to play at the New Jersey State Fair?</p> <p>9 A I don't recall that.</p> <p>10 Q Did anybody ever -- strike that.</p> <p>11 I'll start the question again.</p> <p>12 Did anybody from Live Nation ever tell you that Juice Entertainment, Mr. Barrett, Mr. Dorfman, Mr. Sandberg, that they associated with thieves?</p> <p>16 A I don't recall. You know, somebody told me about -- it may have been John -- about some production that Chris or Tom was involved with in the winter, didn't pay their bills. I don't remember where that came from. I think it came from John.</p> <p>22 Q And by John, you mean John D?</p> <p>23 A John D, yeah.</p> <p>24 Q And do you think that was during the March meeting that you had here in</p>	

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<p>1 Belleville?</p> <p>2 A I don't know, but it wouldn't</p> <p>3 have mattered. I mean, there is a contract in</p> <p>4 place, and why would any of that matter? And</p> <p>5 it's sour grapes when a competitor talks about</p> <p>6 another competitor, if they considered him a</p> <p>7 competitor.</p> <p>8 Everybody knows that John D is a</p> <p>9 bull in a china closet and they don't listen to</p> <p>10 half of what he says. So, I mean, honestly, if</p> <p>11 he's saying any of the things that you just</p> <p>12 asked, a dozen things, if he said any of those</p> <p>13 things, would they be -- would I consider them</p> <p>14 real? Probably not, because he just talks.</p> <p>15 Q Do you recall Mr. D'Esposito</p> <p>16 saying anything negative at any time about</p> <p>17 Mr. Barrett, Mr. Dorfman, Mr. Sandberg, or</p> <p>18 anybody associated or affiliated with Juice?</p> <p>19 A I can't recall that.</p> <p>20 Q And if Mr. D'Esposito had made</p> <p>21 negative contacts, would they have had any</p> <p>22 impact upon the relationship between State Fair,</p> <p>23 SFEM and Juice?</p> <p>24 A No, not at that point. My</p> <p>25 decisions were made based on a contract, and</p>		<p>1 put on a show of the type that was being</p> <p>2 contemplated for the State Fair in 2011?</p> <p>3 A I don't recall that.</p> <p>4 Q Did anybody from Live Nation ever</p> <p>5 tell you that Live Nation would withhold</p> <p>6 ticketing for the 2011 Juice event that was</p> <p>7 being contemplated?</p> <p>8 A How would they withhold</p> <p>9 ticketing? In what way?</p> <p>10 Q I'm just asking whether anybody</p> <p>11 from Live Nation ever said that to you.</p> <p>12 A No. That would have me involved</p> <p>13 in a lawsuit then with them if they said that.</p> <p>14 I mean, that's crazy.</p> <p>15 Q Now, you described for us the</p> <p>16 timing and the reason why SFEM terminated the</p> <p>17 contract with Juice. And I believe your</p> <p>18 testimony is, and you correct me if I'm wrong,</p> <p>19 is that the contract was terminated because the</p> <p>20 obligations under the contract had not been</p> <p>21 satisfied.</p> <p>22 A Right.</p> <p>23 Q Do you know why Juice was unable</p> <p>24 to perform under the contract?</p> <p>25 A Well, you know, I don't think</p>	
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<p>1 they couldn't perform.</p> <p>2 The reality is that they knew at</p> <p>3 the time the contract was canceled that they</p> <p>4 couldn't perform and they knew they could be</p> <p>5 also out of the contract.</p> <p>6 It was pretty mutual by the time</p> <p>7 we were done. It was done.</p> <p>8 And I never -- you know, like I</p> <p>9 said, that wouldn't have mattered. Whatever</p> <p>10 John said, you know, the reason I say no to</p> <p>11 anybody else at Live Nation, because everybody</p> <p>12 at Live Nation is professional. They would</p> <p>13 never say those kinds of things. Whether they</p> <p>14 do them or act on them is another story, but</p> <p>15 they would never say them.</p> <p>16 John D is the kind of person who</p> <p>17 says everything on his mind, because he's crazy,</p> <p>18 and so that's why we couldn't work together.</p> <p>19 Q Did anybody from Live Nation ever</p> <p>20 tell you that Juice Entertainment, Barrett,</p> <p>21 Dorfman and Sandberg lacked funding?</p> <p>22 A I don't recall.</p> <p>23 Q Did anybody from Live Nation ever</p> <p>24 tell you that Juice Entertainment and its</p> <p>25 principals lacked the experience necessary to</p>		<p>1 they signed any acts because they were looking</p> <p>2 for the big act. When the big act couldn't get</p> <p>3 signed, they didn't want to have deposits out</p> <p>4 and lose their money on the other acts.</p> <p>5 They were trying to resolve that</p> <p>6 issue. Other acts that they thought they had</p> <p>7 leads on were obviously jumping off and taking</p> <p>8 other work. So I think it was really a</p> <p>9 snowballing thing, just started to lose control</p> <p>10 of the whole thing.</p> <p>11 I have no knowledge of this, but</p> <p>12 my, you know, my senses told me that probably</p> <p>13 the guys that were going to finance them, fund</p> <p>14 this whole thing, started to get shaky, and so,</p> <p>15 you know, the whole thing blew up at some point.</p> <p>16 As an investor you have to start</p> <p>17 to worry, the same as, you know, the event</p> <p>18 manager has to worry, that it's too late and</p> <p>19 things aren't under control and they are not</p> <p>20 being managed properly.</p> <p>21 I'm assuming they had those same</p> <p>22 worries that I did, you know.</p> <p>23 Q Do you have any other thought as</p> <p>24 to why Juice was unable to perform?</p> <p>25 A They could be inexperienced.</p>	

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<p>1 They seemed to have the drive and the will to do 2 it. And, you know, they sort of reminded me of 3 me when I was young and aggressive and wanted to 4 do things that were out of my capabilities, but 5 I did them anyway to prove people wrong.</p> <p>6 That's what made me go in and, 7 you know, kept giving them extensions and 8 allowing them to do things, and obviously they 9 couldn't come up with it, put it all together.</p> <p>10 Do I believe that if Live Nation 11 wanted to block this concert they could have? 12 Without a doubt, with three phone calls.</p> <p>13 Do I think that Live Nation did?</p> <p>14 I can't answer that. What can I tell you?</p> <p>15 Q Why not?</p> <p>16 A I have no knowledge, so I can't 17 say. I mean, I --</p> <p>18 Q Did you ever have any discussions 19 with anybody at the New Jersey Sports and 20 Exposition Authority about the contemplated 21 Juice concert at the 2011 event?</p> <p>22 A Just that we were preparing a 23 concert within a concert -- I mean an event 24 within an event, and it would be a concert 25 event, and, you know, I think in our contract it</p>		<p>1 want that? You know, the press would be so bad. 2 Here you are presenting a family 3 event, and you got drugged out naked girls, 17 4 and 18 years old, right next door in your event, 5 basically.</p> <p>6 I don't know if they would have 7 went the second night if I sold out the first 8 night, to be honest with you. I don't know. 9 And so that has no bearing on 10 what the contract was, because I even went into 11 it, but knowing what I know now and seeing an 12 event firsthand, it's not something that we 13 would want there.</p> <p>14 Q And who at NJSEA would be 15 responsible for making the decision as to 16 whether to approve a proposed concert under the 17 Juice/SFEM agreement?</p> <p>18 A It would be Jim Minish.</p> <p>19 Q Can you spell that for us?</p> <p>20 A M-i-n-i-s-h.</p> <p>21 Q And what is his position?</p> <p>22 A He's executive vice president.</p> <p>23 Q And how would SFEM obtain 24 Mr. Minish's approval or lack of approval with 25 respect to a proposed event at the State Fair?</p>	
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<p>1 says that they have the right to deny or accept 2 whatever happens there.</p> <p>3 That's why I say this wouldn't 4 have gone on for another year, not only wouldn't 5 I have wanted it, but they wouldn't want it 6 there either.</p> <p>7 Q Why would you believe that?</p> <p>8 A There are too many problems with 9 those events. Obviously the Electric Daisy 10 event that went on last year at MetLife Stadium 11 was a disaster.</p> <p>12 Q Can you explain that to me?</p> <p>13 A Drug-wise and crowd control and 14 hundreds and hundreds of kids going to the 15 hospital. You can't -- you know, you just 16 can't -- again, the 11 years that I had this 17 event, I turned it into a family friendly event.</p> <p>18 And I'm thinking we are going to 19 bring teenagers to the event and it's going to 20 be, you know, a predominantly teen thing that is 21 happening. The parents would be at the 22 fairground with the smaller children, the teens 23 would be at the concert, it's a win-win for 24 State Fair, when in reality the event is, you 25 know, a drug fest. It's not good. Who would</p>		<p>1 A Once they had the list of talent, 2 we would send the list of talent to Mr. Minish. 3 He would say yea or nay based on all kinds of 4 things, you know, like crowd control, proper 5 State Police and security, all those things have 6 to come in.</p> <p>7 He would say, okay, based on the 8 acts that you are bringing in, this is how much 9 support you need. Do you have support? Yes, we 10 do. Then we approve the event. That's 11 basically how it goes.</p> <p>12 I would say if we presented the 13 event this year after their experience last year 14 with the Electric Daisy, it would be a no as 15 soon as we said dance, technically.</p> <p>16 As a matter of fact, we were 17 looking at some events, bringing in top names, 18 and they wanted -- the promoters wanted to bring 19 in some dance, you know, DJs in addition. And 20 one of the reasons we stopped early is they kept 21 sending us -- they were giving us names of acts, 22 big acts that were booked already, we knew they 23 were booked somewhere else in those weeks of the 24 dates of events, and they were sending us DJs 25 that were available that were booked.</p>	

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1 guys, show me. They are not showing me
2 anything. Show me your production. Show me
3 your list. Where is your stuff?
4 That's more of that -- you know,
5 I can't even go back, I wish I had a good memory
6 of it, but I can't, but it sounds like time and
7 time again when you get the guy that's not
8 producing, or not doing what he says he's going
9 to do, to try to be a little motivational,
10 saying, look, you dopes, you should have gone
11 down the right road.
12 I told you when we met the right
13 road would have been to make a deal with Live
14 Nation no matter what it was because they
15 control the market. That's my opinion, not
16 reality, perception, and perception is reality,
17 you know, to the person that believes it.
18 Q Earlier in response to the
19 questioning by Mr. Marx you said you have no
20 firsthand knowledge that Live Nation actually
21 blocked any of these things.
22 A Right.
23 Q You also said it could happen
24 with three phone calls.
25 A Yeah, I think that they could

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4 I have read the foregoing
5 transcript and do hereby certify that it is a
6 true and accurate transcript of my testimony.
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11 -----
12 AL DORSO
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15 Sworn and subscribed to before me
this day of , 2013
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20 Notary Public
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1 have, you know, at their size and with what they
2 do and the power that they wield, they can do
3 anything they want in the concert marketplace
4 without a doubt.
5 MR. SIEGAL: All right, let me
6 have one or two minutes off the record and we
7 may be done here.
8 (Recess.)
9 MR. SIEGAL: I have no more
10 questions at this time. Thank you for your
11 time.
12 THE WITNESS: Thank you.
13 (Deposition adjourned at
14 1:20 p.m.)
15 (Exhibits retained by the
16 attorneys.)
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1 C E R T I F I C A T E
2
3 I CERTIFY that the foregoing is a
4 true and accurate transcript of the testimony as
5 taken by and before me stenographically at the
6 time and place aforementioned.
7 I FURTHER CERTIFY that I am
8 neither attorney for nor counsel to any of the
9 parties; parties of any of the attorneys in this
10 action; and that I am not financially interested
11 in the outcome of this case.
12
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16 HOWARD A. RAPPAPORT, C.C.R
Certificate No. XI00416
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